

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554**

In the Matter of)	
)	
Obligations of local exchange carriers)	CC Docket No. 94-129
when executing preferred interexchange)	DA 05-3131
carrier changes.)	

COMMENTS OF THE IOWA UTILITIES BOARD

Introduction

On February 1, 2006, the Consumer & Governmental Affairs Bureau (Bureau) of the Federal Communications Commission (FCC) issued a notice seeking comment in CC Docket No. 94-129. The Bureau seeks comment on an application for review filed by a group of rural local exchange carriers (Rural LECs) regarding the obligations of local exchange carrier (LECs) when executing preferred interexchange carrier (IXC) changes. The Rural LECs' application requests that the Bureau reverse its initial ruling denying their petition regarding the Commission's carrier change verification rules and grant their petition.

Discussion

The Iowa Utilities Board (Iowa) has gone to great lengths to ensure that a subscriber's primary interexchange carrier (PIC) is not changed without the authorization of the subscriber or others authorized by that person to make changes to the account. Iowa's verification rules match the FCC's rules. However, this process does not prevent all slamming. Customers still file complaints alleging they have been slammed. In resolving those complaints,

Iowa has taken the position that if the name or number on a request does not match that on the account and a switch occurs without the authorization of the named person, the submitting carrier is in violation of Iowa's rules against slamming (in the absence of any mitigating factors).

Executing LECs should not interfere with delay or transfer orders by discussing the changes with the customer. There are sufficient guidelines to determine whether a violation of that nature has occurred. However, merely matching the customer's service records with the PIC change request to determine whether the change was made by an authorized customer does not constitute a violation of the proscription against reverification because it does not involve the customer.

Iowa requests that the FCC affirm that its rules do not prohibit the practice of executing LECs rejecting requests from carriers to change a subscriber's PIC where the name or telephone number on the request does not match that of the subscriber of record or any person authorized by the subscriber to make changes to the account.

Iowa requests that the Bureau's Ruling be reversed. Alternatively, Iowa asks the FCC to issue a clear statement of the responsibilities of the executing LEC in cases where the name of the person requesting the change does not match the names(s) on the account in the executing carrier's records.

February 13, 2006

Respectfully submitted,

_____/s/_____
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